

Cont  
F 5

22  
52

21

(Amended) The ink jet printer of claim ~~51~~, wherein said first pin and said second pin move within said first and second grooves, respectively, to position said ink cartridge on said carriage as said lever pivots from the first position to a [the] second position.

### REMARKS

Reconsideration of the above referenced application is respectfully requested in light of the Amendments above and remarks that follow. The Amendments are made to place the application in condition for allowance and/or better condition for appeal. Entry of this amendment is respectfully requested.

Claims 29, 30, 32-34, and 36-53 are in the application. Applicants note with appreciation that claims 36-41 and 47 are allowed and that claims 29, 30, 32, and 51-53 would be allowed, if amended to overcome formal rejections include any antecedent claims. As will be discussed below, applicants have amended these claims to place them in condition for allowance.

In the Official Action, the Examiner objected to an Information Disclosure Statement which had been filed on October 29, 1998. In a telephone conversation with the Examiner, he indicated that copies of European Patent No. 469,536 and German Patent No. 3,700,677 were not included with the Information Disclosure Statement. Copies of these references are attached hereto, along with a copy of an English language abstract of the German patent, and it is respectfully submitted that the objection to the Information Disclosure Statement should be withdrawn and the Statement considered fully.

The Examiner objected to the specification for failing to disclose a carriage having convex portions, rather than a cartridge, as recited in claim 46. Claim 46 has been amended to state that it is the cartridge which has convex portions, which is clearly disclosed in the specification. (See, e.g., page 14, lines 10-13 of the specification). It is respectfully submitted that the specification is in accord with proper patent practice and the objection thereto should be withdrawn.

The Examiner objected to claim 33 for including an unmatched bracket. Rather than remove the bracket after the word "part", as suggested by the Examiner, applicants seek to remove the bracket after the semi-colon on the next line. Claim 33 was amended to show deletion of this unmatched bracket by placing brackets about it. It is respectfully submitted that the objection to claim 33 should be withdrawn.

The Examiner rejected claims 29-32 and 48-53 under 35 U.S.C. §112, second paragraph as being allegedly indefinite for failing to particularly point out and distinctly claim the subject matter which applicants regard as their invention. After careful review of the Examiner's comments, the claims have been amended to correct the points raised by the Examiner. It is respectfully submitted that the rejection of the claims has been obviated, and it is respectfully submitted that the rejection under 35 U.S.C. §112 be withdrawn.

The Examiner rejected claims 33, 42 and 45 under 35 U.S.C. §102(b) as being anticipated by Kurata et al. The rejection is respectfully traversed.

Kurata et al. discloses an ink jet recording apparatus which includes a carriage 1 formed to accommodate recording heads 2A-2D. As best shown in FIG. 6, a connector holder 19 is located opposite the recording heads 2A-2D, which holds connectors 18 (18A-18D). A link

plate 23 extends from and is connected to the connector holder 19. Through the inclusion of sliding holes 52 and 53, the link plate 23, along with the connector holder 19, are slidable relative to the carriage 1. Movement of a lever arm 22 up and down, as shown in FIG. 6, results in movement of the link plate 23 and the connector holder 19 relative to the carriage 1. (See, col. 6, lines 45-48). The movement of the lever arm 22, however, does not cause relative movement of the recording heads 2A-2D relative to the carriage 1.

Amended claim 33 is directed to an ink jet printer having a lever pivotable between first and second positions where "pivoting of said lever between said first and second positions causes displacement of the ink jet cartridge relative to said carriage." As stated above, Kurata et al. does not disclose having the lever generate relative movement between the ink jet cartridges and the carriage. Moreover, there is no suggestion to modify the disclosed device to do such. Specifically, Kurata et al. discloses the ink jet cartridge as having interengagement which hinders relative movement between the cartridge and the carriage. (As shown in FIG. 3, contact between abutment surfaces 36, 37, and 38 of the recording head 2 and abutment surfaces 39, 40, and 41 of the carriage 1.) The invention of claim 33 advantageously provides for easy removal and insertion of an ink jet cartridge into a carriage. It is respectfully submitted that claim 33, along with dependent claims 42 and 45, are patentable over Kurata et al., and applicants respectfully request the withdrawal of the rejection of claim 33 under 35 U.S.C. §102(b).

The Examiner rejected claim 34 under 35 U.S.C. §103(a) as being unpatentable over Kurata et al. in view of Suzuki. Applicants respectfully traverse the rejection.

Claim 34 depends from claim 33, and defines the invention with greater particularity. Specifically, the novel lever is defined as being resilient to engage the carriage in the second

position. As discussed above, Kurata et al. does not disclose moving the cartridge with the lever. Suzuki does not overcome this deficiency. Therefore, the combination does not teach the claimed invention. Accordingly, applicants submit that claim 34 is allowable as defining a patentable combination in its own right as well as depending from allowable claim 33 and respectfully request the withdrawal of the rejection under 35 U.S.C. §103.

The Examiner rejected claims 43-44 under 35 U.S.C. §103(a) as being unpatentable over Kurata et al. in view of Uchikata et al. Applicants respectfully traverse the rejection.

Claims 43 and 44 also depend from claim 33 and define the invention with greater particularity. Specifically, claims 43 and 44 define structure for puncturing a seal in the second position and outputting a signal when the seal is moved into the second position. Both claims further emphasize the movement of the cartridge by the lever.

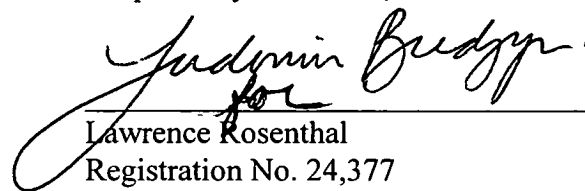
Even though Uchikata et al. implies that a lever (not shown) moves the cartridge (col. 12, lines 35-50), Kurata et al. specifically teaches abutments 36, 37 and other holding structure, such as pin 43, which require movement of link plate 23 and connector holder 19; not a lever which moves a cartridge. Kurata et al. teaches away from such a lever. Therefore, the two references are not combinable.

Furthermore, even if combinable, there is no teaching in Uchikata et al. that it is lever 107 which causes the puncturing or indicating signal. Therefore, the claimed novel levers are allowable as defining a patentable combination, as well as, depending from allowable claim 33 and applicants respectfully request withdrawal of the rejection under 35 U.S.C. §103.

With this amendment, applicants have made a diligent effort to place the application in condition for appeal and/or condition for allowance. If there are any questions or if additional

information is required, the Examiner is respectfully requested to contact applicants' attorney at the number listed below.

Respectfully submitted,

 *Judson Bredyn* *for* *Reg. No. 40,540*

Lawrence Rosenthal  
Registration No. 24,377  
Attorneys for Applicants  
Stroock & Stroock & Lavan LLP  
180 Maiden Lane  
New York, New York 10038-4982  
(212)806-6660